

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2006-266-S - ORDER NO. 2006-706
NOVEMBER 30, 2006

IN RE: Application of Midlands Utility, Inc. for) ORDER APPROVING
Expansion of Service Territory in Richland) EXPANSION OF
County.) SERVICE TERRITORY
)

This matter comes before the Public Service Commission of South Carolina (the Commission) on the petition of Midlands Utility, Inc. (Midlands or the Company) for permission to expand its service territory in Richland County, South Carolina. The petition is filed pursuant to 26 S.C. Code Ann. Regs. 103-504 (1976 and Supp. 2005).

There are four commercial properties, certain ones of which front on Brady Street in Richland County, which are unserved by the City of Columbia or any private sanitary sewer provider. Customers that will build or buy in this new development will be charged the approved rates and charges by the Commission if the request for expansion is granted. Midlands has accepted the request of certain of the property owners served by a volunteer to accept and maintain the wastewater treatment facilities owned by the volunteer and collect and transport the sewage from these properties to the City of Columbia for treatment. The City of Columbia consents to the expansion of Midlands' service territory in Richland County and will accept the sanitary sewage collected by Midlands for

treatment by the City of Columbia's treatment facilities. As stated, the customers affected by Midlands' application will be charged its approved rates and charges.

In Order No. 2006-605, this Commission granted a waiver of notice requirements in newspapers of general circulation, since personal service of the Notice would be given to the four parties affected by the Application. The Company provided proof that personal service on these customers had been accomplished. The Office of Regulatory Staff (ORS) subsequently stated that it had no objection to the petition to expand service territory filed by Midlands.

Due to a pending real estate transaction, in which Midlands will receive funds to upgrade wastewater treatment facilities, Midlands requests that, should its petition be granted, this Commission's Order be made effective upon a date not later than thirty (30) days after the closing of the real estate transaction. Further, upon receipt of promised funds, Midlands states that it would confirm this receipt with this Commission in writing and accept the service territory. Moreover, the four customers involved will not pay for services until Midlands is granted the service territory. ORS has no objection to this procedure.

26 S.C. Code Ann. Regs. 103-504 (1976 and Supp. 2005) states that any public utility supplying sewerage disposal to the public seeking an extension of its system must obtain from this Commission a certificate that the public convenience and necessity requires the extension. We have examined the petition in the instant case, and have determined that said certificate should be granted, since we hold that the extension serves

the public convenience and necessity. No one opposes the extension of the Midlands system.

Accordingly, the petition of Midlands Utility, Inc. for expansion of its service territory in Richland County is granted, effective on a date not later than thirty (30) days after the closing of the real estate transaction referred to in the November 20, 2006 letter to the Commission from counsel for Midlands. At such time as Midlands is in receipt of funds from the transaction, it must confirm this receipt in writing with this Commission, and it shall then accept the new service territory. The customers involved must not be charged the Midlands rate until Midlands accepts the service territory.

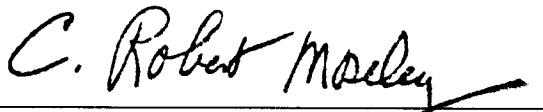
This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



G. O'Neal Hamilton, Chairman

ATTEST:



C. Robert Moseley, Vice Chairman

(SEAL)